

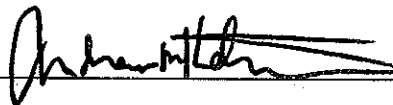
5/3/16

11:07 A.M.

Chapter No. 944
16/HR31/R2228
AM / CSI

HOUSE BILL NO. 1761

Originated in House



Clerk

HOUSE BILL NO. 1761

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF FLOWOOD, MISSISSIPPI, TO ENTER INTO LONG-TERM AGREEMENTS RELATED TO THE FINANCING AND DEVELOPMENT OF A CONFERENCE CENTER, HOTEL AND RELATED ANCILLARY FACILITIES; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. As used in this act, the following terms shall have the following meanings unless a different meaning is clearly indicated by the context in which they are used:

(a) "City" means the City of Flowood, Mississippi.

(b) "Conference Center" means a specialized facility designed and built to host conferences, exhibitions, seminars, training sessions, and other large meetings, and which may include office facilities and a range of leisure activities, and all incidental and ancillary improvements related thereto, all of which to be located within the city limits of the city.

(c) "Developer" means an individual, partnership, limited liability company or corporation with demonstrable experience with similar projects, including structuring and

securing a variety of public and private financings, turn-key development or redevelopment of full-service hotels and conference centers, as well as ownership, management and operation of full-service hotels and conference centers.

(d) "Governing authorities" means the mayor and board of aldermen of the city.

(e) "Hotel" means and includes a place of lodging that at any one time will accommodate transient guests on a daily, weekly or monthly basis and that is known to the trade as such, and which is located within the city limits of the city.

(f) "Project" means the conference center, hotel and any related and ancillary buildings or other facilities or improvements to be located within the city limits of the city; provided, the city designates the conference center, hotel and any related and ancillary buildings or other facilities or improvements as part of an urban renewal project under Title 43, Article 35, Mississippi Code of 1972, as amended from time to time.

SECTION 2. The city, acting by and through its governing authorities, is authorized and empowered to invite proposals from and make available all pertinent information to developers interested in acquiring, constructing, developing, managing, operating and/or owning the project, or any portion thereof, by public notice through publication in a newspaper having a general circulation in the city, which publication shall be made once and

not less than thirty (30) days prior to the execution of any contract to acquire, construct, develop, manage, operate and/or own the project, or any portion thereof, and prior to the delivery of any instrument of conveyance with respect thereto. Such notice shall identify the project, or portion thereof, and shall state that proposals shall be made by those interested within thirty (30) days after the date of publication of the notice, and that such further information as is available may be obtained at such office as shall be designated in the notice.

SECTION 3. The city, acting by and through its governing authorities, shall consider all such proposals and the financial and legal ability of the developer making such proposals to carry them out. The city, acting by and through its governing authorities, may accept such proposal as it deems to be in the public interest and in furtherance of the purposes of this act, and may negotiate to enter into an agreement or agreements with any developer whereby the developer will agree to acquire, construct, develop, manage, operate and/or own the project, or any portion thereof. Thereafter, the city, acting by and through its governing authorities, may execute such contract and deliver deeds, leases and other instruments and take all steps necessary to effectuate such contract.

SECTION 4. The city, acting by and through its governing authorities, is authorized and empowered to sell, lease, trade, exchange or otherwise dispose of any real property and/or the

improvements thereon owned by the city in connection with the project, upon such terms and conditions and with or without consideration as the city deems necessary and proper, including the authority and power to enter into a binding lease agreement, management contract or other such agreement related to the project for a term not to exceed seventy-five (75) years concerning all or any portion of the project; and the city is further authorized, in connection with the project, to acquire by gift, purchase or otherwise any real property and/or the improvements thereon and to own, hold, maintain, control, and develop such real property and/or the improvements thereon for any purpose, including the authority and power to enter into a binding lease agreement, management contract or other such agreement for a term not to exceed seventy-five (75) years concerning all or any portion of the project.

SECTION 5. In the event that the city elects to issue bonds to finance the acquisition, development, construction, ownership or operation of the project, then the bonds issued shall never constitute an indebtedness of the city within the meaning of any state constitutional provision or statutory limitation including, but not limited to, the limitation on indebtedness imposed by Section 21-33-303, Mississippi Code of 1972.

SECTION 6. This act shall be deemed to be full and complete authority for the exercise of the powers granted under this act and shall not be in derogation of any existing law of this state,

but shall be considered additional, supplemental and alternative to any other authority granted by law.

SECTION 7. This act shall take effect and be in force from and after its passage.

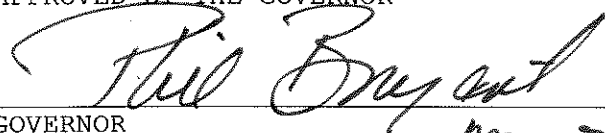
PASSED BY THE HOUSE OF REPRESENTATIVES
April 7, 2016


SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
April 16, 2016


PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR


GOVERNOR
May 3, 2016
11:07 AM